

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

1. On June 20, 2007, Complainant, Valerie Brown, filed a *Complaint of Civil Rights Violation* with the Illinois Human Rights Commission.
2. The parties were ordered to appear for an initial status hearing on August 21, 2007 at 3:00 p.m. On that date, Respondent appeared and Complainant failed to appear.
3. On August 21, 2007, Respondent filed its Motion to Dismiss with the Commission. An order was entered by the administrative law judge on that date ordering

Complainant to provide a response to Respondent's motion and for all parties to appear for another status hearing on October 16, 2007.

4. The August 21, 2007 order was properly served upon Complainant on August 22, 2007.
5. On October 16, 2007, Respondent appeared for the scheduled status hearing at the Commission and Complainant failed to appear. Additionally, Complainant failed to file any response to Respondent's Motion to Dismiss.
6. As of the date of this Recommended Order and Decision, Complainant has failed to file a response to Respondent's Motion to Dismiss.

CONCLUSIONS OF LAW

1. Complainant's failure to appear at two scheduled status hearings and her failure to respond to Respondent's motion to dismiss has unreasonably delayed the proceedings in this matter.
2. Complainant's filing of a *Complaint of Civil Rights Violation* with the Illinois Human Rights Commission was untimely.
3. In light of Complainant's apparent abandonment of her claim, this matter should be dismissed with prejudice.

DISCUSSION

Complainant, Valerie Brown, has taken absolutely no action to prosecute this matter since the year 2007. She was ordered to appear before the Commission twice; once on August 21, 2007 and again on October 16, 2007. Without any explanation whatsoever, Complainant failed to appear for both status hearings. In addition, Complainant has failed to file any responsive pleading to Respondent's motion to dismiss despite being ordered by the administrative law judge to do so. As of the date of this Recommended Order and Decision, no response to that motion has been provided. For reasons unknown, it appears that Complainant

has simply abandoned her claim. As a result of the abandonment of her claim before the Commission, it is most appropriate to recommend dismissal of Complainant's *Complaint of Civil Rights Violation. Leonard and Solid Matter, Inc.*, IHRC, ALS No. 4942, August 25, 1992. Moreover, after review of the record file in this matter, along with the exhibits attached to Respondent's motion to dismiss, it appears that Complainant's *Complaint of Civil Rights Violation* was not timely filed with the Commission. 775 ILCS 5/7A-102(G)(2).

RECOMMENDATION

Based on the foregoing, it appears that Complainant has abandoned her claim before the Commission. Accordingly, it is recommended that the *Complaint of Civil Rights Violation*, ALS No. 07-455, and the underlying charge, No. 2006CF2668, be dismissed with prejudice.

ENTERED: September 21st, 2010

HUMAN RIGHTS COMMISSION

**MARIETTE LINDT
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION**